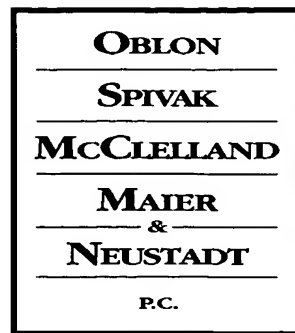




DOCKET NO.: 216259US0

COMMISSIONER FOR PATENTS
ALEXANDRIA, VIRGINIA 22313



ATTORNEYS AT LAW

NORMAN F. OBLON
(703) 413-3000
NOBLON@OBLON.COM

ROLAND E. MARTIN
(703) 412-6243
RMARTIN@OBLON.COM
*BAR OTHER THAN VIRGINIA

RE: Application Serial No.: 10/006,666
Applicants: Rainer K. LIEDTKE
Filing Date: December 10, 2001
For: CHIP SYSTEMS FOR THE CONTROLLED
EMISSION OF SUBSTANCES HAVING A
CHEMOSENSORY EFFECT
Group Art Unit: 1616
Examiner: Sharmila GOLLAMUDI

SIR:

Attached hereto for filing are the following papers:

**PTO COVER LETTER
ELECTION RESPONSE**

Our check in the amount of -0- is attached covering any required fees. In the event any variance exists between the amount enclosed and the Patent Office charges for filing the above-noted documents, including any fees required under 37 C.F.R. 1.136 for any necessary Extension of Time to make the filing of the attached documents timely, please charge or credit the difference to our Deposit Account No. 15-0030. Further, if these papers are not considered timely filed, then a petition is hereby made under 37 C.F.R. 1.136 for the necessary extension of time. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.

Norman F. Oblon

Roland E. Martin

Registration No. 48,082

Customer Number

22850

(703) 413-3000 (phone)
(703) 413-2220 (fax)

DOCKET NO.: 216259US0



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF

Rainer K. LIEDTKE

:

: GROUP ART UNIT: 1616

SERIAL NO.: 10/006,666

: EXAMINER: Sharmila GOLLAMUDI

FILED: December 10, 2001

:

FOR: CHIP SYSTEMS FOR THE CONTROLLED EMISSION
OF SUBSTANCES HAVING A CHEMOSENSORY EFFECT

ELECTION RESPONSE

COMMISSIONER FOR PATENTS
ALEXANDRIA, VIRGINIA 22313

SIR:

This is responsive to the Election of Species Requirement mailed May 4, 2004.

Applicant elects, with traverse, with regard to Claim 6, the presence of an electronic microchip in the chip system; with regard to Claim 18, pain; with regard to Claim 20, a) pharmaceutical product, a veterinary medicine, a medical aid, a health care product, a body care product, for examination.

It is requested that the election of species requirement be withdrawn with regard to the disorders of Claim 18 and the products of Claim 20, since the crux of the invention lies in the chip system as defined in Claim 1 with the election of the presence of an electronic microchip in the chip system and the search will be directed towards discovering prior art on the particular chip system of Claim 1 including an electronic microchip in the chip system. Therefore, it is clear that the species of Claims 18 and 20 are proper for examination in the present application.

Application No.: 10/006,666
Reply to Election Requirement of May 4, 2004

Further, if the Examiner's search fails to find prior art on the elected species of Claims 6, 18 and 20, it is requested that the Examiner extend the search to the non-elected species.

Accordingly, for the reasons presented above, Applicant submits that the Patent and Trademark Office has failed to meet the burden necessary to sustain the Election Requirement. Withdrawal of the Election Requirement is respectfully requested.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.
Norman F. Oblon



Roland E. Martin
Registration No. 48,082

Customer Number

22850

Tel: (703) 413-3000
Fax: (703) 413 -2220
(OSMMN 06/04)
REM:smi